

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Derrick Louis Williams

Write the full name of each plaintiff.

CV

(Include case number if one has been assigned)

-against-

Breaking ground Housing
Development Fund
Corporation. Karen Warner
muhamet islamovic

Write the full name of each defendant. If you need more space, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed above must be identical to those contained in Section II.

COMPLAINT

Do you want a jury trial?

☐ Yes ☒ No

RECEIVED
SDNY PRO SE OFFICE
2022 OCT 12 AM 11:34

NOTICE

The public can access electronic court files. For privacy and security reasons, papers filed with the court should therefore *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number. See Federal Rule of Civil Procedure 5.2.

I. BASIS FOR JURISDICTION

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation, and the amount in controversy is more than \$75,000, is a diversity case. In a diversity case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal-court jurisdiction in your case?

☒ Federal Question

☐ Diversity of Citizenship

A. If you checked Federal Question

Which of your federal constitutional or federal statutory rights have been violated?

DERICK WILLIAMS WAS WRONGFULLY TERMINATED
OF SEXUAL HARASSMENT THAT I VIOLATED
POLICY

B. If you checked Diversity of Citizenship**1. Citizenship of the parties**

Of what State is each party a citizen?

The plaintiff, DERICK WILLIAMS, is a citizen of the State of
(Plaintiff's name)

NEW YORK
(State in which the person resides and intends to remain.)

or, if not lawfully admitted for permanent residence in the United States, a citizen or subject of the foreign state of

If more than one plaintiff is named in the complaint, attach additional pages providing information for each additional plaintiff.

If the defendant is an individual:

The defendant, Karen Warner, is a citizen of the State of
(Defendant's name)

new york

or, if not lawfully admitted for permanent residence in the United States, a citizen or subject of the foreign state of _____

If the defendant is a corporation: Breaking Ground

The defendant, Karen Warner, is incorporated under the laws of
the State of New York

and has its principal place of business in the State of _____

or is incorporated under the laws of (foreign state) _____

and has its principal place of business in _____

If more than one defendant is named in the complaint, attach additional pages providing information for each additional defendant.

II. PARTIES

A. Plaintiff Information

Provide the following information for each plaintiff named in the complaint. Attach additional pages if needed.

<u>DERICK</u>	<u>L</u>	<u>Williams</u>
First Name	Middle Initial	Last Name
<u>2438</u>	<u>MORRIS</u>	<u>APT 4E</u>
Street Address		
<u>Bronx</u>	<u>NY</u>	<u>10468</u>
County, City	State	Zip Code
<u>646-260-8382</u>		
Telephone Number	Email Address (if available)	

B. Defendant Information

To the best of your ability, provide addresses where each defendant may be served. If the correct information is not provided, it could delay or prevent service of the complaint on the defendant. Make sure that the defendants listed below are the same as those listed in the caption. Attach additional pages if needed.

Defendant 1:

Karen Warner

First Name

Last Name

Building manager

Current Job Title (or other identifying information)

445 E 142st between Brooke and Willis Ave

Current Work Address (or other address where defendant may be served)

BronxNew York10454

County, City

State

Zip Code

Defendant 2:

Muhamet Islamovic

First Name

Last Name

Supervisor

Current Job Title (or other identifying information)

445 E 142st between Brooke and Willis Ave

Current Work Address (or other address where defendant may be served)

BronxNew York10454

County, City

State

Zip Code

Defendant 3:

Breaking Ground Housing Development

First Name

Last Name

management

Current Job Title (or other identifying information)

508 8th Ave 5th floor NY NY

Current Work Address (or other address where defendant may be served)

NYNY10018

County, City

State

Zip Code

Defendant 4:

First Name

Last Name

Current Job Title (or other identifying information)

Current Work Address (or other address where defendant may be served)

County, City

State

Zip Code

III. STATEMENT OF CLAIM

Place(s) of occurrence: On site 445 E 142nd St between Brooke and Willis AveDate(s) of occurrence: March 25, 2022

FACTS:

State here briefly the FACTS that support your case. Describe what happened, how you were harmed, and what each defendant personally did or failed to do that harmed you. Attach additional pages if needed.

Wrongful terminated ~~of~~ Sexual Harassment Policy that I violated not true. Paperwork attached.

• Case # 10219050 Division of Human Rights • and I would like a copy of the March 31, 2022 Zoom call when I was wrongful terminated from Breaking Ground main office is

↳ Common Ground is Over ^{see of} Breaking Ground 505 8th Ave. 5th floor New York NY 10018 phone 212-385-9300 if there not at the site you can find here Karen Warner Building Manager Muhamet Islamovic Supervisor

and background Lawyer presented thumb drive of the incident on March 25th that morning and I would like that thumb drive recording to be from every angle of the camera surveillance position and the one that is camera video they took far away from Beth walking down the stairs, I would like that shot to be zoom in lens meaning a closer picture of her stepping down.

12pm lunch time video when they try to say I touched Beth I would like that zoom in lens from front as well as the back. Not just that one that unemployment administrative Judge scene at
INJURIES: ^{Appeal Board}

If you were injured as a result of these actions, describe your injuries and what medical treatment, if any, you required and received.

made it harder to find more work for being falsely accuse of Violation Policy of Sexual Harassment.

they could have fired me for any Reason but they didn't. Character assassination attempt to destroy Derrick Williams

IV. RELIEF

State briefly what money damages or other relief you want the court to order.

Breakingground Management falsely accuse Derrick Williams Sexual Harassment the Remedy to this Situation is 3 years of Severance pay. and pay my lawyer fee and 50,000 Character assassination attempt to destroy my life.

V. PLAINTIFF'S CERTIFICATION AND WARNINGS

By signing below, I certify to the best of my knowledge, information, and belief that: (1) the complaint is not being presented for an improper purpose (such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation); (2) the claims are supported by existing law or by a nonfrivolous argument to change existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Federal Rule of Civil Procedure 11.

I agree to notify the Clerk's Office in writing of any changes to my mailing address. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Each Plaintiff must sign and date the complaint. Attach additional pages if necessary. If seeking to proceed without prepayment of fees, each plaintiff must also submit an IFP application.

10/12/22
 Dated DERICK L WILLIAMS
 Plaintiff's Signature
 First Name DERICK Middle Initial L Last Name WILLIAMS
 Street Address 2438 MORRIS AVE Apt 4E
 County, City Bronx State NEW YORK Zip Code 10468
 Telephone Number 646-260-8382 Email Address (if available)

I have read the Pro Se (Nonprisoner) Consent to Receive Documents Electronically:

☐ Yes ☒ No

If you do consent to receive documents electronically, submit the completed form with your complaint. If you do not consent, please do not attach the form.

TRANSMISSION VERIFICATION REPORT

TIME : 10/04/2022 01:13PM
NAME :
FAX :
TEL :
SER.# : U64201E8N750541

DATE, TIME	10/04 01:11PM
FAX NO./NAME	17187418322
DURATION	00:02:24
PAGE(S)	06
RESULT	OK
MODE	STANDARD ECM



New York State Department of Labor
Unemployment Insurance Division

Administrative Law Judge
Case number

*New York State
To Division of Human Rights*

*Fax
718-741-8322*

(5)

Date: 7.25.22

Notice of Employer's Request for Hearing

Claimant's name: Derrick Williams S.S.A.: 5989 Date of Initial Determination: 6.20.22
Employer: Common Ground

Notice to claimant: The employer named above is contesting your eligibility for benefits. See attached correspondence. You will be informed of the date of the hearing, and you should attend to protect your rights. If you do not understand this correspondence and need translation help, contact the Telephone Claims Center at 1-888-209-8124 (or 1-877-358-5306 for claimants residing outside of New York State).

As long as you remain unemployed, continue to certify for benefits and to report as directed. Include both the case number and your social security number in any correspondence about this case.

Aviso al reclamante: el empleador antes mencionado se opone a su derecho a recibir pagos de prestaciones de desempleo. Vea la correspondencia adjunta. Se le notificará la fecha de la audiencia y se le sugiere que asista para que defienda sus derechos. Si no sabe de qué trata esta notificación y necesita servicios de interpretación, llame al Centro de Reclamos Telefónicos al 1-888-209-8124 (o al 1-877-358-5306 si es un reclamante que reside fuera del estado de Nueva York).

Mientras usted permanezca desempleado, continúe reportando los periodos de desempleo y continúe presentándose como se le indica. Incluya su número de caso y su número de seguro social en toda correspondencia relacionada con este caso.

Avi pou moun k ap fè reklamasyon an: Anplwayè ki gen non l make anlè a ap konteste kalifikasyon w pou resevwa benefis. Gade nan lèt ki vin ak Avi sila a. Yo pral enfòmè w sou dat odyans lan pral fèt la, e ou dwe prezante w nan odyans lan pou sa pwoteje dwa w yo. Si w pa konprann sa ki ekri nan lèt sila a e w bezwen èd pou yo tradwi l pou ou, kontakte Sant Reklamasyon pa Telefòn lan nan nimewo 1-888-209-8124 (oswa 1-877-358-5306) pou moun k ap fè reklamasyon ki abite andeyò Leta Nouyòk). Toutotan w nan chomaj, se pou w kontinye sètifye pou benefis yo e se pou kontinye fè rapò yo jan yo mande w la. Mete toulede, nimewo ka a ak nimewo sekirite sosyal ou nan tout korespondans ou ekri ki konsène ka sa a.

원고에 대한 통지 사항: 위에 기명된 고용주는 귀하의 혜택 수혜 자격에 이의를 제기하고 있습니다. 첨부된 서신을 참조하십시오. 귀하의 청문회 날짜를 통지받게 되며, 귀하의 권리를 보호하기 위해 출석하셔야 합니다. 귀하가 이 서신을 이해하지 못하고, 번역의 도움이 필요한 경우, 전화 청구 센터(Telephone Claims Center), 전화 1-888-209-8124(또는 뉴욕주 외부에 거주하는 원고인 경우 1-877-358-5306)로 연락하십시오.

귀하가 실업 상태로 있는 한, 계속해서 혜택을 구하고, 지시된 대로 보고하십시오. 이 케이스에 대한 모든 서신에 케이스 번호와 귀하의 소셜 시큐리티 번호를 둘 다 포함시키십시오.

Powiadomienie wnioskodawcy: Wymieniony powyżej pracodawca kwestionuje Pani/Pana uprawnienia do świadczeń. Proszę zapoznać się z dołączoną korespondencją. Zostanie Pani/Pan poinformowana/y o terminie przesłuchania, na które powinna/powinien się Pani/Pan zgłosić, aby dochodzić swoich praw. Jeśli nie rozumie Pani/Pan niniejszej korespondencji i potrzebuje pomocy w tłumaczeniu, proszę skontaktować się z Telefonicznym Centrum ds. wniosków o zasiłki pod numerem 1-888-209-8124 (lub 1-877-358-5306 dla osób nie mieszkających w stanie Nowy Jork).

Proszę poświadczać uprawnienia do świadczeń i składać informacje według zaleceń tak długo jak będzie Pani/Pan bezrobotna/y. W całej korespondencji dotyczącej tej sprawy proszę podawać zarówno numer sprawy, jak i swój numer ubezpieczenia społecznego.

見反面 см. на обратной стороне

UI Appeal Board, ALJ SECTION
P.O. BOX 29002
BROOKLYN NY 11202-9002

STATE OF NEW YORK
**UNEMPLOYMENT INSURANCE
APPEAL BOARD**
ADMINISTRATIVE LAW JUDGE SECTION
Phone: (718) 613-3500
Fax: (718) 613-3566
www.labor.ny.gov/ui-appeal



DERICK WILLIAMS
2438 MORRIS AVE #4E
BRONX NY 10468-0000

**Notice of Unemployment Insurance Hearing
Notificación de audiencia sobre Seguro por Desempleo**

Date Of This Notice: August 24, 2022

In the matter of:
DERICK WILLIAMS

ALJ Case No: 022-19441

Date of Hearing: Wednesday September 7, 2022

S.S.N. or E.R.No.: xxx-xx-5989
Time of Hearing: 9:30 AM ET

You are hereby notified to appear by Telephone
and you will be called at: (646) 260-8382

**You must arrive on time or you may not be heard.
Usted tiene que llegar a la hora programada o su
audiencia podría no llevarse a cabo.**

Before:
Wendy Pichardo
Administrative Law Judge

See page 3 for the purpose of this hearing.
Lea la página 3 para averiguar el motivo de esta audiencia.

Rescheduled Hearing as a result of a Prior Adjournment.
CLMT

Please look on the reverse side for additional information.
Keep this notice and bring it to hearing.
Sírvase leer el reverso para obtener información adicional.
Guarde esta notificación y tráigala consigo a la audiencia.

NEW YORK STATE DEPT. OF LABOR
UNEMPLOYMENT INSURANCE DIVISION

PO BOX 15130
ALBANY

NY 12212

DATE: 07/25/22 LO # 801
Claimant ID #: 068-58-5989
Administrative Law Judge
Case Number: 022-19441

4

Employer : COMMON GROUND

DERICK WILLIAMS
2438 MORRIS AVE #4E
BRONX
NY 10468

Please refer to the item marked (X) below:

A la casilla marcada con una equis (X):

☐

Your request for a hearing has been received. Adjudication Services Office (ASO) will review your file before your hearing. If the Commissioner's determination is changed, you will be notified. If there is no change, the file will be sent to the Administrative Law Judge Section to schedule a hearing before an impartial judge. You will be notified of the time and place of the hearing. You may obtain representation now to prepare for your hearing.

Su solicitud para una audiencia ha sido recibida. La oficina de servicios de Adjudicación (Adjudication Services Office, ASO, por sus siglas en inglés) revisará su caso antes de su audiencia. Si se cambiara la determinación del Comisionado, usted será notificado. Si no hay cambio, el caso será enviado a la sección de jueces de ley administrativa del seguro por desempleo para que sea programada la fecha de su audiencia ante un juez imparcial. Usted será notificado acerca de la hora y el lugar de la audiencia. Si usted desea tener representación legal en su audiencia, usted debe hacer los arreglos necesarios ahora.

☐

Your Notice of Appeal has been received and forwarded to the Unemployment Insurance Appeal Board. All further notices in connection with this appeal will be sent to you by the Appeal Board and all further communications regarding your appeal should be addressed by you to the Unemployment Insurance Appeal Board, PO Box 15126, Albany, NY 12212-5126.

Su Notificación de Apelación se recibió (Notice of Appeal) y se envió a la Junta de Apelación del Seguro por Desempleo (Unemployment Insurance Appeal Board). En adelante la Junta de Apelación le enviará todo nuevo aviso relacionado con esta apelación y usted debe dirigir toda correspondencia relacionada con su apelación a la siguiente dirección: Unemployment Insurance Appeal Board, PO Box 15126, Albany, NY 12212-5126.

☒

Notice to Claimant: The above employer is contesting your eligibility for benefits. You will be informed of the date of the hearing and you should attend to protect your rights. Our Adjudication Services Office will send you more information regarding this employer's objections to your eligibility.

Aviso al Reclamante: El empleador arriba mencionado está cuestionando su elegibilidad para recibir beneficios. La fecha de la audiencia se le informará luego y usted debe asistir para proteger sus derechos. Nuestra oficina de Servicios de Adjudicación le enviará más información relacionada con las objeciones de este empleador acerca de su elegibilidad.

You should continue to certify as directed for any period for which you claim benefits. Any correspondence related to this case should include both the case number and your Social Security account number.

Usted debe continuar reclamando sus beneficios de seguro por desempleo como le fue indicado. Cualquier correspondencia relacionada con este caso debe incluir el número del caso y su número de seguro social.

IMPORTANT - Please read the enclosed pamphlet covering your rights regarding Hearings.

IMPORTANTE - Lea el folleto que está incluido, el cual explica sus derechos con respecto a las audiencias.



NOTICE OF DECISION**CLAIMANTS****IF YOU DISAGREE WITH THIS DECISION, YOU HAVE A RIGHT TO APPEAL TO THE UNEMPLOYMENT INSURANCE APPEAL BOARD.**

Parties may be represented by lawyers or other persons of their choice on appeal to the Appeal Board. For representing a claimant, a lawyer or an agent registered by the Appeal Board may charge a fee. The fee must be approved by the Appeal Board before payment may be accepted by such lawyer or agent. No other person may charge a fee for representing a claimant. If you do not have enough money to hire a lawyer or registered agent, you may be able to get one free through your local Legal Aid Society or Legal Services Program.

TO APPEAL A DECISION

1. Continue to follow all instructions from the Unemployment Insurance office where you originally filed your claim and to certify for benefits as long as you are unemployed and claiming benefits. This will protect your rights to any benefits you claim.
2. Within twenty (20) days of the date printed on the face of this decision, mail a letter to the office where you originally filed your claim or to the Appeal Board at P.O. Box 15126, Albany, New York 12212-5126, or fax your appeal to the Appeal Board at (518) 402-6208. Please state that you wish to appeal and the reasons for your appeal. Include your ALJ Case Number (found just above your name on the face of the Notice of Decision) and a copy of the Notice of Decision.
3. Claimants who appeal are not required to pay a deposit on filing an appeal.

EMPLOYERS

If you wish to appeal this decision, you may file a notice of appeal within twenty (20) days from the date printed on the face of this decision to the office where the claim was originally filed and which issued the initial determination, or to the Unemployment Insurance Appeal Board at P.O. Box 15126, Albany, New York 12212-5126, or you may fax your notice of appeal to the Appeal Board at (518) 402-6208. Such notice of appeal should include the A.L.J. Case Number (found on the face of this Notice of Decision), the reason(s) for the appeal and a copy of the Notice of Decision.

ALL PARTIES WILL RECEIVE A NOTICE OF RECEIPT OF APPEAL DIRECTLY FROM THE APPEAL BOARD AFTER ANY APPEAL IS MADE.

INSTRUCCIONES A LOS RECLAMANTES**RECLAMANTES**

SI NO ESTÁ DE ACUERDO CON ESTA DECISIÓN, USTED TIENE DERECHO DE APELARLA A LA JUNTA DE APELACIONES DEL SEGURO POR DESEMPLEO.

Las partes si lo desean, pueden estar representadas por abogados u otras personas que ellos seleccionen en la apelación a la Junta de Apelaciones (Appeal Board). Un abogado o un agente que esté registrado por la Junta de Apelaciones, puede cobrarle honorarios por representarle. Estos honorarios deben ser aprobados por la Junta de Apelaciones antes que el pago pueda ser aceptado por dicho abogado o agente registrado. Ninguna otra persona podrá cobrar honorarios por representar al reclamante. Si usted no tiene suficiente dinero para contratar a un abogado o un agente registrado, puede conseguir uno gratis a través de la Sociedad de Asistencia Legal (Legal Aid Society) o el Programa de Servicios Legales (Legal Services Program).

PARA APELAR LA DECISIÓN

1. Continúe siguiendo **todas** las instrucciones de la oficina del Seguro por Desempleo (Unemployment Insurance) donde usted presentó su reclamo originalmente y para certificar por los beneficios mientras permanezca desempleado y esté reclamando beneficios. Esto protegerá su derecho a recibir cualquier beneficio que reclame.
2. Antes de cumplirse veinte (20) días de la fecha que aparece al frente de esta decisión, envíe una carta a la oficina donde presentó originalmente su petición o al Appeal Board a P.O. Box 15126, Albany, New York 12212-5126, o envíe por fax su apelación al Appeal Board al (518) 402-6208. Por favor, explique que desea apelar y las razones que tiene para hacerlo. Incluya su número de caso ALJ (lo encontrará justo encima de su nombre al frente de este Aviso de Decisión) y envíe una copia de este Aviso de Decisión.
3. Los reclamantes no necesitan depositar dinero para poder apelar su caso.

TODAS LAS PARTES RECIBIRÁN UN AVISO DE RECIBO DE APELACIÓN DIRECTAMENTE DE LA JUNTA DE APELACIONES DESPUÉS DE QUE SU PETICIÓN SEA RECIBIDA.



TRACIE L. COVEY
CHIEF ADMINISTRATIVE LAW JUDGE
CHRISTOPHER M. TATE
JUSTIN DENTON
MARK SOKOLOWSKI
PRINCIPAL ADMINISTRATIVE LAW JUDGE

DERICK WILLIAMS v. Breaking Ground
Federal Change #000

STATE OF NEW YORK
UNEMPLOYMENT INSURANCE APPEAL BOARD
ADMINISTRATIVE LAW JUDGE SECTION
P.O. BOX 29002
BROOKLYN NY 11202-9002
(718) 613-3500
FAX: (718) 613-3566

DENNIS TORREGGIANI
ALISON FERRARA
RACHEL FREEMAN
CAROL PROCOPIO
BENJAMIN H. REYES
SENIOR ADMINISTRATIVE LAW JUDGE

①

DECISION AND NOTICE OF DECISION
DECISIÓN Y AVISO DE LA DECISIÓN TOMADA

A.L.J. Case No. 022-19441

Mailed and Filed: September 7, 2022

IN THE MATTER OF:

DERICK WILLIAMS
2438 MORRIS AVE #4E
BRONX NY 10468-0000

COMMON GROUND
MANAGEMENT CORPORATION
505 8TH AVE 5TH FL
NEW YORK NY 10018-0000

BRONX LEGAL SERVICES
ERIK SCHRYVER
349 E 149TH ST, FL 10
BRONX NY 10451-

PEOPLE SYSTEMS
PO BOX 4816
SYRACUSE NY 13221-4816

Department of Labor Office: 801

Hearing Requested: July 19, 2022

PLEASE TAKE NOTICE that this decision has been duly mailed on the date listed above. If you appeared at the hearing and are not satisfied with this decision, you may appeal within **TWENTY DAYS** from the date this decision was mailed. **READ IMPORTANT INFORMATION ON REVERSE SIDE REGARDING YOUR RIGHT TO APPEAL.** Any party who failed to appear at the hearing has the right to apply to reopen the case. For the application to be granted, the party must apply within a reasonable time and must establish good cause for its failure to appear.

POR FAVOR TOME NOTA: esta decisión ha sido debidamente enviada por correo en la fecha que aparece arriba. Si usted asistió a la audiencia y no está satisfecho con la decisión, puede apelar dentro de **VEINTE DIAS** contados a partir de la fecha en que esta decisión fue enviada por correo. **LEA LA INFORMACIÓN IMPORTANTE AL REVERSO SOBRE SUS DERECHOS DE APELACIÓN.** Cualquiera de las partes que falle en comparecer a la audiencia, tiene el derecho de solicitar que se reabra su caso. Para que dicha solicitud sea otorgada, la parte interesada debe solicitarlo dentro de un periodo de tiempo razonable y debe establecer buena causa por no haber comparecido a la audiencia.

DOCUMENTO IMPORTANTE. PUEDE OBTENER UNA TRADUCCIÓN DEL MISMO LLAMANDO
AL 1-888-209-8124 (FUERA DEL ESTADO DE NUEVA YORK 1-877-358-5306)

ISSUES: Loss of employment through misconduct.
Employer's objection to claimant's entitlement.

The Department of Labor issued the initial determination holding the claimant eligible to receive benefits. The employer requested a hearing and objected contending that the claimant should be disqualified

from receiving benefits because the claimant lost employment through misconduct in connection with that employment and that wages paid to the claimant by such employer cannot be used to establish a future claim for benefits.

Telephone conference hearings were held at which testimony was taken. There were appearances by the claimant and on behalf of the employer.

FINDINGS OF FACT: The claimant was employed as a porter, with the employer herein, from December 20, 2021, through March 29, 2022. The claimant received the employer's handbook. The employer's policy prohibits physical acts of a sexual nature, which includes touching. On March 25, 2022, a case manager from a partner company complained that the claimant had reached out and touched her arm as she was exiting the building at lunch time and that on previous occasions, he had made comments about her physical appearance. The employer viewed video surveillance cameras and observed as the claimant reached out his arm to touch the complaining individual's arm as she was exiting the building on March 25, 2022, and her apparently recoiling from his reach. This was the first complaint of this nature against the claimant. There were no prior warnings. The claimant was discharged for violation of the employer's policy by touching the partner company employee on March 25, 2022.

OPINION: Pursuant to Labor Law § 593 (3), a claimant is disqualified from receiving benefits after having lost employment through misconduct in connection with that employment. Pursuant to Labor Law § 527, the wages paid in such employment cannot be used to establish a future claim for benefits.

The credible evidence establishes that the claimant was fired for the inappropriate touching of an employee of a partner company on March 25, 2022, in violation of policy. While the claimant denies he touched the individual, the surveillance video shows him reaching his arm in the direction of the individual as if to touch her arm and her recoiling away from his reach. Even if the claimant made brief contact with her arm, which appears to be the case, I note that claimant had no history of warnings for this type of behavior. That being the case I find that this was an isolated instance of poor judgement by the claimant. However, a single instance of poor judgement is not disqualifying. While an employer may discharge an employee for any legitimate reason, including the violation of a known policy, not all violations of an employer policy constitute misconduct. Given the claimant's lack of prior infractions of this nature and no prior warnings, I conclude claimant's actions did not rise to the level of disqualifying misconduct.

DECISION: The employer's objection, that the claimant should be disqualified from receiving benefits because the claimant lost employment through misconduct in connection with that employment and that wages paid to the claimant by such employer cannot be used to establish a future claim for benefits, is overruled.

The initial determination, holding the claimant eligible to receive benefits is sustained.

The claimant is allowed benefits with respect to the issues decided herein.

/s/ Wendy Pichardo

Administrative Law Judge

New York State Division of Human Rights Complaint Form

CONTACT INFORMATION

My contact information:

Name: DERICK WILLIAMS
 Address: 2438 MORRIS AVE Apt or Floor #: 4E
 City: Bronx State: NY Zip: 10468

REGULATED AREAS

I believe I was discriminated against in the area of: Retaliation

- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> Employment | <input type="checkbox"/> Education | <input type="checkbox"/> Volunteer firefighting |
| <input type="checkbox"/> Apprentice Training | <input type="checkbox"/> Boycotting/Blacklisting | <input type="checkbox"/> Credit |
| <input type="checkbox"/> Public Accommodations
(Restaurants, stores, hotels, movie
theaters amusement parks, etc.) | <input type="checkbox"/> Housing | <input type="checkbox"/> Labor Union, Employment
Agencies |
| <input type="checkbox"/> Commercial Space | <input type="checkbox"/> Internship | |

I am filing a complaint against:

Company or Other Name: Breakingground management
 Address: 505 8th AVE. 5th Floor
 City: newyork State: NY Zip: 10018
 Telephone Number: 212 385-9300
(area code)

Individual people who discriminated against me:

Name: Karen Warner
 Title: building manager

Name: Muhamet Islamovic
 Title: Supervisor

DATE OF DISCRIMINATION

Wrongful termination more Discrimination march 31, 2022
 The most recent act of discrimination happened on: Aug 2 2022
month day year

FAX 718-741-8322

DOMESTIC WORKERS



Please answer the questions on this page **only if you are a domestic worker**. If you are not a domestic worker, please skip this page and turn to the next page.

The Human Rights Law protects you if you are being sexually harassed or harassed because of your gender, race, national origin, or religion AND you are employed in the home or residence of another person for the purposes of housekeeping, childcare, companionship, or any other domestic service purpose

Do you live in your employer's home? ☐ Yes ☒ No

If yes, please be sure to fill out the information on Page 11, and provide the name of another person who does not live with you but will know how to contact you if the Division needs to reach you.

What did the person you are complaining against do? *unwarranted terms of endearment such as Good morning love*

Please check all that apply. *Honey Baby*

- ☐ Harassed me because of my race or color ☐ Harassed me because of my national origin
- ☐ Harassed me because of my religion ☐ Harassed me because of my gender/sex
- ☒ Sexually harassed me

Other protections for Domestic Workers:

As a domestic Worker, you are also entitled to certain protections in the following areas:

- **Minimum Wage** (the lowest hourly wage under the law)
- **Day of Rest** (the amount of time off that you should have each week)
- **Paid Vacation** (the amount of time off that you should have each year)
- **Overtime Pay** (extra money that you receive for working extra hours)
- **Disability Benefits** (payments if you can't work because of illness or injuries)

If you have questions about these topics, please contact:

New York State Department of Labor

(518) 457-9000

(888) 4-NYSDOL / (888-469-7365)

TTY/TDD (800) 662-1220

www.labor.ny.gov



When you have finished answering these questions, please turn to Page 8.

BASIS OF DISCRIMINATION

Please tell us why you were discriminated against by checking one or more of the boxes below.



You do not need to provide information for every type of discrimination on this list. Before you check a box, make sure you are checking it only if you believe it was a reason for the discrimination. Please look at the list on Page 1 for an explanation of each type of discrimination.

Please note: Some types of discrimination on this list do not apply to all of the regulated areas listed on Page 3. (For example, Conviction Record applies only to Employment and Credit complaints, and Domestic Violence Victim Status is a basis only in Employment complaints). These exceptions are listed next to the types of discrimination below.

I believe I was discriminated against because of my: *whistleblower*

<input checked="" type="checkbox"/> Age (Does not apply to Public Accommodations) Date of Birth:	<input type="checkbox"/> Gender Identity or Expression, Including the Status of Being Transgender
<input type="checkbox"/> Arrest Record (Only for Employment, Licensing, and Credit) Please specify:	<input type="checkbox"/> Lawful Source of Income (Only for Housing) Please specify:
<input type="checkbox"/> Conviction Record (Employment and Credit only) Please specify:	<input type="checkbox"/> Marital Status Please specify:
<input type="checkbox"/> Creed / Religion Please specify:	<input type="checkbox"/> Military Status: <input type="checkbox"/> Active Duty <input type="checkbox"/> Reserves <input type="checkbox"/> Veteran
<input type="checkbox"/> Disability Please specify:	<input type="checkbox"/> National Origin Please specify:
<input type="checkbox"/> Pregnancy-Related Condition: Please specify:	<input type="checkbox"/> Race/Color or Ethnicity Please specify: <input type="checkbox"/> Traits historically associated with race such as hair texture or hairstyle
<input type="checkbox"/> Domestic Violence Victim Status: (Employment only) Please specify:	<input type="checkbox"/> Sex Please specify: _____ <input type="checkbox"/> Pregnancy <input type="checkbox"/> Sexual Harassment
<input type="checkbox"/> Familial Status (Does not apply to Public Accommodations or Education) Please specify:	<input type="checkbox"/> Sexual Orientation Please specify:
<input type="checkbox"/> Genetic Predisposition (Employment only) Please specify:	<input checked="" type="checkbox"/> Retaliation (if you filed a discrimination case before, or helped someone else with a discrimination case, or reported discrimination due to race, sex, or any other category listed above) Please specify: <i>being a whistleblower</i>

*against 445 E/42nd between
Brooke and Willis Ave
BX NY 10454*

EMPLOYMENT OR INTERNSHIP DISCRIMINATION

Please answer the questions on this page only if you were discriminated against in the area of employment or internship. If not, turn to the next page.

How many employees does this company have?☐ 1-3☐ 4-14☐ 15 or more☐ 20 or more☒ Don't know**Are you currently working for the company?**☒ Yes

Date of hire:

march 30 2022
 (Dec 20 2021)
 Month day year

What is your job title?

Porter☐ No

Last day of work:

(_____)
 Month day year

What was your job title?

☐ I was not hired by the company

Date of application:

(_____)
 Month day year

ACTS OF DISCRIMINATION

What did the person/company you are complaining against do? Please check all that apply.

☐ Refused to hire me☐ Fired me / laid me off☐ Did not call me back after a lay-off☐ Demoted me☒ Suspended me☒ Sexually harassed me☒ Harassed or intimidated me (other than sexual harassment)☐ Denied me training☐ Denied me a promotion or pay raise☐ Denied me leave time or other benefits☐ Paid me a lower salary than other workers in my same title☐ Gave me different or worse job duties than other workers in my same title☐ Denied me an accommodation for my disability☐ Denied me an accommodation for my religious practices☐ Gave me a disciplinary notice or negative performance evaluation☐ Other:

Threaten to write me up on disciplinary charges also try to bait me into arguing with them today 6 Feb 14 2022. so it started

DESCRIPTION OF DISCRIMINATION - for all complaints (Public Accommodation, Employment, Education, Housing, and all other regulated areas listed on Page 3)

Please tell us more about each act of discrimination that you experienced. Please include dates, names of people involved, and explain why you think it was discriminatory.

PLEASE TYPE OR PRINT CLEARLY.

DERICK WILLIAMS PORTER from Breaking Ground
I am bringing charges against Beth Colon.
From Urban Community for sexual harassment
unwarranted terms of endearment such as
Good morning Love. Honey. Baby for almost 2
months and when I brought it to Karen Warner
she said Beth just kidding around so Karen
covered it up due to the fact this is a good
friend who resides at her home.
March 25. 2022 7:45 - 8:00 am in the morning

If you need more space to write, please continue writing on a separate sheet of paper and attach it to the complaint form. **PLEASE DO NOT WRITE ON THE BACK OF THIS FORM.**

NOTARIZATION OF THE COMPLAINT

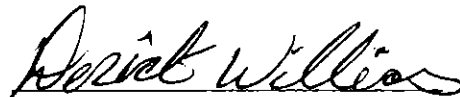
Based on the information contained in this form, I charge the above-named Respondent with an unlawful discriminatory practice, in violation of the New York State Human Rights Law.

By filing this complaint, I understand that I am also filing my employment complaint with the United States Equal Employment Opportunity Commission under the Americans With Disabilities Act (covers disability related to employment), Title VII of the Civil Rights Act of 1964, as amended (covers race, color, religion, national origin, sex relating to employment), and/or the Age Discrimination in Employment Act, as amended (covers ages 40 years of age or older in employment), or filing my housing/credit complaint with HUD under Title VIII of the Federal Fair Housing Act, as amended (covers acts of discrimination in housing), as applicable. This complaint will protect your rights under Federal Law.

I hereby authorize the New York State Division of Human Rights to accept this complaint on behalf of the U.S. Equal Employment Opportunity Commission, subject to the statutory limitations contained in the aforementioned law and/or to accept this complaint on behalf of the U.S. Department of Housing and Urban Development for review and additional filing by them, subject to the statutory limitations contained in the aforementioned law.

I have not filed any other civil action, nor do I have an action pending before any administrative agency, under any state or local law, based upon this same unlawful discriminatory practice.

I swear under penalty of perjury that I am the complainant herein; that I have read (or have had read to me) the foregoing complaint and know the contents of this complaint; and that the foregoing is true and correct, based on my current knowledge, information, and belief.



Sign your full legal name



Aug 2, 2022

Subscribed and sworn before me
This day of , 20

Signature of Notary Public

County:

Commission expires:

Please note: Once this form is notarized and returned to the Division, it becomes a legal document and an official complaint with the Division of Human rights. After the Division accepts your complaint, this form will be sent to the company or person(s) whom you are accusing of discrimination.

ADDITIONAL INFORMATION

The next three pages are for the Division's records and **will not be sent out** with the rest of your complaint.

Contact information

My primary telephone number:

646 260 8382
 (area code)

☐ home phone

☐ work phone

☒ cell phone

☐ other _____

My secondary telephone number:

 (area code)

☐ home phone

☐ work phone

☐ cell phone

☐ other: _____

My email address: _____

Contact person (someone who does not live with you but will know how to contact you if the Division cannot reach you):

Name: Lisa PurkeTelephone number: 718-433-6668Relationship to me: Girl friend**Special Needs**

I am in need of: a) A translator (if so, which language?):

b) Accommodations for a disability:

c) Other:

Settlement / Conciliation:

To settle this complaint, I would accept: (Please explain what you want to happen as a result of this complaint. Do you want a letter of apology, your job back, lost wages, an end to the harassment, etc?)

Witnesses:

The following people saw or heard the discrimination and can act as witnesses:

Name: Kurt Job title: Security Guard
Telephone number: 347 371 6562
Relationship to me: friend
What did this person witness?: what I said to Beth on march 25, 2022

Name: _____ Job title: _____
Telephone number: _____
Relationship to me: _____
What did this person witness? _____

If you have more witnesses, please write their names and information on a separate sheet of paper and attach it to this form. Please do not write on the back of this form.

Additional Details:**Did you report or complain about the discrimination to someone else?**

(If you told someone, filed a report or sent a letter about the discrimination, please indicate whether you went to a supervisor, a manager, the owner of the company, your human resources office, your union, your housing provider, the police, etc.).

Date you reported or complained about discrimination: March 30 2022
month day year

How exactly did you complain about the discrimination?

(Who did you talk to about it? Who did you file a report or make a formal written complaint or union grievance with? What did you say?)

Reported it to O.S.H.A.

What happened after you complained?

(Was your complaint investigated? Was any action taken in response to your complaint? Did the discrimination stop? Did you experience retaliation for complaining?)

Wrongful termination/whistle blower

If you did not report the discrimination, please explain why: I Reported to

Occupational Safety and Health Administra
- 1017 Feb 12. 2022

Did the person you are complaining against touch you, hurt you, or physically harm you?

☐ Yes ☒ No

If yes, please explain: _____

Examples of other people who were discriminated against in the same way as you were:

(For example, people who were harassed by the same manager, disciplined or terminated for the same reasons, did not receive an accommodation for the same reasons, etc.).

If you are complaining about discrimination relating to race, national origin, age, religion, etc. please describe their races, national origins, ages, religions, etc.

Examples of other people who were treated better than you were:

(For example, people who were not fired for doing the same thing you were fired for, people who were doing the same job but making more money, people who were allowed to stay in the store while you were told to leave, etc.).

If you are complaining about discrimination relating to race, national origin, age, religion, etc. please describe their races, national origins, ages, religions, etc.

To Whom it may Concern
DERICK WILLIAMS is Bringing
a Law Suit against.

Breakingground management for
falsely accused of Sexual Harassment
false allegation.

1) also Accused of Inappropriate Touching

2) Character assassination malicious
unjustified.

3) defamation of Character

4) malicious prosecution

5) denied due process by Breakingground

march 28
2022 → 6) NO investigation. phone video of unwarranted touching

7) I was denied unemployment by Breakingground
Since march 29, 2022 when I was Suspended.

8) wrongfully terminated march 31, 2022

9) On April 8, 2022 Lenworth wanted to reinvestigate.

Two individuals. Karen Warner
building manager and Superintendent
Muhamet ISLAMOVIC

and Beth Cologne from Urban Community

DERICK WILLIAMS
DERICK WILLIAMS
2038 MORRIS AVE #4E
Bx NY 10468
646-260-8382
June 28, 2022

②

from breaking ground stating that I violated policy I was almost denied unemployment payment until the arbitrator ms. Chrisa cleared up the problem because I didn't receive a payment for 3 months due to breaking ground said I violated policy.

under the labor law when an employee is wrongfully terminated the company has to pay that employee three times their salary.

that would be the remedy to resolving this case and for the hardship and character assassination and tried to destroy my life.

Adam Clayton Powell, Jr. state office
buildings

10. Division of Human Rights

165 West 125th Street 4th floor

212) 961-4390

DERICK WILLIAMS

2438 MORRIS AVE #4-E

BX NY 10468

646-260-8382

2 pages

①

Breakingground management
falsely accuse Derrick Williams
Sexual Harassment the Remedy to
this Situation is 3 years of Severance
Pay.

Oh and I want Karen Warner ~~to~~
Muhamet Islamovic fired/terminated
I would like apology from both
individuals?

If the investigation finds that you
are **NOT** at fault, the accuser could
get anything from a we're sorry
about misunderstanding it was not
if egregious. form of being falsely
accuse making false claims.

its possible if you are found innocent
of sexual harassment that you can
still get severance package and make
an agreement that they will provide
me with a neutral reference.

Derrick Williams was found innocent
by unemployment insurance Division
New York State Dept of Labor arbitrator
Ms. Chrisa ~~Said~~ Breakingground accuse
Derrick Williams of violate policy sexual
harassment charges that was falsely
file against me and unfounded by the
State Dept of Labor Ms. Chrisa arbitrator

It seems like some of management from breakingground forgot the standards and morals of the breakingground concept one would be Karen Warner building manager at 445 East 142 Street between Brooke and Willis AVE and the Superintendent Muhamet Islamovic. I never received documents of sexual harassment from Beth Cologne from Urban Community. The charges came verbally from Karen Warner of breakingground. Never gave me any documentation at anytime but they use that too set me up to get rid of me on a assumption from a surveillance video and I don't know if Karen Warner building manager used Beth Cologne as a decoy due to the fact that Beth never said nothing directly to me that I said anything inappropriate that I touched her in anyway. Even on March 31, 2022 breakingground HR department Lenworth Steveson terminated my employment. At breakingground's never did investigation at all. They denied me of my human rights.

They denied me due process. Falsely accused of sexual harassment. I also charged breakingground management for defamation character.

I still do not know what part in this accusations that Beth Cologne played from urban community, but it came from her friend Karen Warner who falsely accuse me sexual harassment and unwarranted touching of Beth Cologne.

I accuse breakngrounds building manager Karen Warner for using the Kangaroo Court System and unauthorized mock or legal proceeding Reviews of Sorority Sisters Created to settle disputes within the Sorority and which some or all of the accused due process and rights are ignored and I'll come appears to be predetermined Character assassination the malicious and unjustified. it also falls under the malicious prosecution.

TRANSMISSION VERIFICATION REPORT

TIME : 06/24/2022 02:55PM
NAME :
FAX :
TEL :
SER.# : U64201E8N750541

DATE, TIME	06/24 02:54PM
FAX NO./NAME	16072053473
DURATION	00:00:54
PAGE(S)	02
RESULT	OK
MODE	STANDARD ECM

On April 8, 2022 - ~~REDACTED~~

I Received a Voice mail from Lenworth Stevenson at HR Breaking ground.

Lenworth Stevenson Said division of human Rights Contact him as of Monday April 11 2022 Started a full investigation MR. Stevenson from your phone call I Received on Friday April 8, 2022. at 7:40 PM the message you left me I also had to let division of human Rights know that you Contact me.

But Karen Warner Suspended Derrick Williams on March 29th 2022.

and then you fired me on a Zoom Call on March 31, 2022 without a investigation. Just Karen Warner assumption of what it look like to her from the Surveillance.

I never Received Charges from Beth Cologne Just Verbal from the Building manager Karen Warner NO documentation at all. denied due Process by breaking ground.

Derrick Williams

2438 Morris Ave Apt 46

Bx 10468 NY NY

June 24, 2022.

646-260-8382

Chrisa from Labor Dept

FAX 607-205-3473 FAX

P- 833-883-0630 Ext 5291

(5)

On Friday 25. 2022.

Beth Cologne

Part-1

on Friday morning Beth Cologne came in walking down the stairs she almost tripped so all I said to her if you would have felt I would have picked you up no more than that and I had the Security Guard Kurt as my witness never said anything inappropriate besides if you would have fell out I will pick you up she looked if she looked if she was hanged over from a party or high.

I extend my arm I said how are you feeling that was it I've been on many jobs before this job and I know how to treat people with respect. I will never jeopardize that for anyone like I said the lady look like she was not feeling well hungover from partying or whatever but she came in with dark shades on and missing her step walking very slow past Security Guard Kurt was my witness.

P.S my lady told me to write this up and I'm glad I listened

(6)

Chrisa 607-205-3473 FAX

Part-2

This Lady from Urban Community ^{Person}
Name is Beth This is the same ^{person} been
calling honey love baby for almost 2
months that I started working all of
sudden she's going to try to accuse me
of saying something inappropriate which
I don't do that and then try to accuse
me of touching her on her arm Beth
is wrong

all of this came from Karen ^{warner} ~~warner~~
Beth-friend it look like Set-up

David Williams
Employee at Breaking
Ground

3/28/2022

KIMM FARM
Security Guard
7/28/2022

fax

Division of Human Rights
718-741-8322

DERICK WILLIAMS

2P38 MORRIS AVE #4E

Bronx NY 10468 Phone# 646-260-8382

Call anytime 10 AM 3 PM

put in adverse work action against
breakingground

Karen Warner building manager and
Super Muhamet Islamovic
for threatened to write me up on disciplinary
charges because I informed them that
they had dangerous flammable material
in a Jug of gas inside the hallway
on 143rd street between Brooke and Willis
Ave and they've been harassing Derrick
Williams threatening to write him up on
disciplinary charges for reporting it to
OSHA under the whistleblower act
this site 445 E 142nd between Brooke and
Willis Ave.

the Breakingground management corp.
505 8th Ave. 5 floor

New York NY 10018

office # 212-385-9300

(8)

P.S also try to bait me into arguing
with them today Feb 14. 2022

DERICK Williams Report March 28, 2022

①

Earlier in the day I have 445 E 148th nd Street between Brooke and Willis AVE.

We had the plumber in the building he was working in the mechanic room and he came back downstairs to Security Guard Kurt and asked him can take the building offline.

So Kurt never took the building offline before so I guided him to grab the Red FIDRY Book and that's how you take the building offline.

Once you call downtown and let them know give them the address and the account and they'll take the building offline for a couple of hours so after helping him with that I continue to do my porters work that was all.

That happened later that is when I got the call from the Superintendent on ~~the~~ Radio to meet at the office and there was Karen Warner, Marilyn Orr, Muhamut had the Surveillance on his phone showing me what they assumptions of touching ~~and~~ sexual harassment but that cleared me because I never disrespect anyone but they

(9)

(2)

keep coming at me with these foolish allegations for no apparent reason.

March 28, 2022

I was called by the Super Muhamet Islamovic to meet him in the office when I got there was Karen Warner, Marilyn ORR, and they started asking me questions about what I said on March 25, 2022. to Beth Colon from Urban Community Now they show me surveillance that I made her uncomfortable now and show me where I extended my arm out to ask her how are you feeling but from Karen Warner mouth that Beth made a complaint about what was said to her but Karen's assumption from a surveillance picture she accused it can look like sexual harassment which it didn't.

and I explained myself very well and I gave her two pages Report about it but this is the same thing came up before with Muhamet when they go over the surveillance they come up with their own assumptions of allegations when there were none and I feel that they're target me and Retaliating against me but I proved my point

(10)

③

and I'm not going to tolerate nobody
Trying to set me up because when
they meet with me its three of them
and Just DERRICK Williams and then
Try to bait me into argument but I
didn't fall for it my Report to
breaking grounds.

DERRICK Williams

March 28, 2022

~~Derrick Williams~~

and before I forget after I took my
Statement to Matthews at Urban
Community and Karen Warner said she
was looking out for DERRICK Williams.
now you looking out for me bringing
surveillance you and muhamet with
their assumption of me touching a
man's butt on the surveillance
that muhamet showed me in front
of Marilyn. but Karen is looking out
for me I don't see it. I'm looking out
for the Job as well as my self if my
co-worker need help, I will help them
That's why I'm there NO other Reason

(11)

U.S. DEPARTMENT OF LABOR

Occupational Safety and Health Administration
New York Regional Office
201 Varick Street, Room 670
New York, NY 10014



February 15, 2022

Mr. Derick Williams
2438 Morris Ave.
Bronx, NY 10468

Sent Via Email: DerickWilliams64@gmail.com

RE: Breaking Ground/Williams/2-6040-22-029

Dear Mr. Williams:

We received your online complaint inquiry, filed on February 12, 2022, regarding a possible whistleblower complaint under one of the statutes administrated by OSHA.

During our conversation of February 15, 2022, you were provided, as requested, an explanation of employee rights within the scope of OSHA's Whistleblower Protection Programs, as you have not suffered an adverse employment action/termination, related to activities protected under the OSHA Act.

Thank you for your interest in safety and health. We will keep a record of our contact with you in case you would need to reach out to our office. You acknowledged that and concurred with the administrative closing of this complaint.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul A. Yacono".

Paul A. Yacono
Regional Investigator

Feb - 2022

Super
Muhammed
Islamovic



24"

(13)

Feb 2008

Super
muhamet
islamic



24

CTREX/BILT

(14)

Breaking Ground

1 page

On ²⁰²² 26 of January about 1:30 PM Karen Warner maintenance manager at 445 East 142 street between Brook and Willis Ave.

Singled me out saying that I was insubordinate from her looking at a video camera of me and the supervisor having a conversation when I feel it was unprofessional telling me about checking my references three references was good and one was ~~un~~professional Trevor harold from metro north railroad that I have charges against in Supreme Court.

Karen has repeated more than three or four times that she can go down to HR and have me removed for no apparent reason for what look like insubordinate Karen approach is harassment and threatening employee Deryk Williams and also trying to use that references as leverage that she took a chance on me.

When I have references from Mike Swift Mike Rosen and Lorenzo these are three good men I would never disrespect them or myself.

Karen also reiterated that the foreman she talk to had a strong English accent foreman Trevor harvard

Breaking Ground

2 page

on January 18, 2022
first day back from being out of
work due to Covid

Maintenance Supervisor Karen Warner
445 E 14th Street between Brooke and Willis Ave

She looked at the Surveillance Recording
and I was down stairs from the Ramp where
the Super muhamet was and that appear
to her as insubordinate. I was standing
there listening to muhamet. When he was
letting me know that Ramp platform was
Dusty I said No problem I just got back
from Covid.

When the Super was showing me I walk
down stairs and I was looking right in his
face everything muhamet was explaining to
me so she had Mike Swift come in and
it appear to be insubordinate.

it would be if I walked away in the other
direction from muhamet that never happened
I just over Covid and I didn't want
to be too close up on anyone.

muhamet wanted me to take care of it
I said I got it no problem

P.S Last time I check appear to be insubordinate is not
a fact and it can be harassment against the
employee Derick Williams (16)

even Mike was at the meeting ^{3 Page}
and he said to Karen let Derrick
speak and Karen still cut me off
would ~~not~~ let me speak at all.

For example if there's a fire on the first floor
Karen and Muhammad want me to come and
tell them it's a fire on the first floor instead of
putting the fire out before it reached the fourth
floor.

Karen Warner didn't realize or know that I
was offered a job with Breaking Ground at Park
House in the Bronx by Tremont Ave and I turned
them down so when she said I took a chance
on you, Breaking Ground also took a chance on her.
Everybody deserves a chance to prove their worth.
Karen Warner should talk to people communicate
better and not talk at people she will have a
better work place environment that's what
Breaking Ground is about and my job is to take
care of the building be aware of all violations
and to report what ever I see that can be
damaging to the property or to someone by management
or tenants and that's exactly what I have
done Thank You

this would be a new whistle blower
act Complaint 4 page

that I'm putting in on February 4, 2022
against breaking ground manager Karen Warner
and mahamet the Super at 445 E 142 St
between Brooke and Willis Ave zip 10454.

I seen the Violation I shared it with management
and Right after telling them that was a Violation
and a hazard flammable material that they
left in the hallway for 4 days couple hours later.
Karen Warner became very disrespectful towards
me and talk about these people don't listen I got
to keep talking to them like they kids that the
problem there is NO kids here.

So I filed the Complaint on February 4, 2022 I
called OSHA and put in a Report of being Retaliated
against by Karen Warner and mahamet whatever
she say goes the same whatever he say they co-
sign for one another and they're never wrong and
if I have a Response they threaten you with →
insubordinate. (18)

No it's not it's supposed to be a team concept
everyone is supposed to see something say something
to keep the whole team safe. and it getting
out of hand it affecting the workers Karen
Warner and mahamet the created a hostile
work environment threatened harassment threaten
to take you to H.R and always remind you of
that it got cameras in the building that they're

Watching employee but they wasn't ^{5 pages}
watching for the Violations of hazardous
Flammable material but Remember Karen
Said we have 200 Cameras and this is the
Same Report I'm Sending to OSHA if the
Threats and harassment continue from
Karen Warner at breaking Ground

DERICK WILLIAMS
2438 MORRIS AVE
BX NY 10468 #4E
Feb 7. 2022.
646-260-8382

5 pages

(19)